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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/065,281	09/30/2002	John F. Braun	F-521	5695

919 7590 11/01/2006

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EXAMINER

ROBINSON, MYLES D

ART UNIT	PAPER NUMBER
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2625

DATE MAILED: 11/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/065,281	Applicant(s) BRAUN ET AL.	
	Examiner Myles D. Robinson	Art Unit 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 July 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 - 20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 September 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's amendment was received on 7/28/2006, and has been entered and made of record. Currently, **claims 1 – 20** are pending.

Response to Arguments

2. Applicant's arguments with respect to **claims 1 – 20** have been considered but are moot in view of the new ground(s) of rejection.

Specification

3. The amendments to the Specification were received on 7/28/2006. These amendments are acceptable.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. **Claims 11 – 15, 17 and 19** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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6. **Claim 11** recites the limitation "the pointing instrument" in line 19. There is insufficient antecedent basis for this limitation in the claim. All claims dependent upon this claim suffer the same deficiency and, therefore, are rejected as well.

7. **Claims 17 and 19** recite the limitation "ambiguously" identifies the attachments in line 2 of each claim respectively. There is insufficient antecedent basis for this limitation neither within these instant claims nor in their parent claims 9 and 14, respectively. Furthermore, the term "ambiguously" is considered indefinite in describing how the attachment identifier identifies the attachment(s).

8. Furthermore, **claims 17 and 19** are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential elements, such omission amounting to a gap between the elements. See MPEP § 2172.01. The omitted elements are:

- a. How the attachment identifier functions **both** to "ambiguously" (e.g. unclearly, vaguely, doubtfully, etc.) and to "unambiguously" (e.g. clearly, definitively, specifically, without any doubt, etc.) identify the **same** attachment(s). Using the terms "ambiguously" and "unambiguously" in describing what apparently seems to be **two distinctly different and separate functions** to identify attachment(s) while using **the same one identification function** of the attachment identifier in identifying the same attachment(s) seem

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to be in direct conflict because the terms “ambiguously” and “unambiguously” have opposite meanings, and furthermore,

b. How the user data, in conjunction with the ambiguous attachment identifier which **first** identifies the attachment(s) in an ambiguous manner, or in other words, in a unclear and indeterminate manner, is utilized to **then** identify the attachment(s) in an unambiguously, or in other words, in a clear and definitive manner. The cooperative relationship between the user data and the attachment identifier in unambiguously identifying the attachment(s) is the essential omitted element from the claim language.

Claim Rejections - 35 USC § 103

9. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

10. ***Claims 1 – 7 and 11 – 13*** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Bohan** (U.S. Pre-Grant Application No. 2003/0214681) in view of **Gannage et al.** (U.S. Patent No. 6,507,956) and further in view of **Black** (U.S. Patent No. 6,307,956).

Referring to **claim 11**, Bohan discloses a system for composing a facsimile comprising:

a processor (see *Figs. 2 – 3, processing device 200, 300 [paragraphs 0019 and 0023]*),

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a storage device connected to the processor (see *Figs. 2 – 3, memory 202, 302 [paragraphs 0022, 0023 and 0025 – 0027]*),

the storage device storing a logic program (*paragraphs 0022, 0023 and 0025 – 0027*),

the processor operative with the logic program to perform:

capturing with a device data including facsimile message data and command data (see *Figs. 2 – 3, user interface devices 206, 304 comprising function keys, numeric/alphanumeric buttons, touch-sensitive screens, keyboard, mouse and/or track ball to input commands [paragraphs 0020 and 0024], Fig. 4, step 404 [paragraph 0030], Fig. 5B, steps 522 – 524 [paragraph 0038] and Fig. 6B, steps 624 – 626 [paragraph 0046] wherein the sender's information (e.g. name, phone number, fax number) and total number pages are analogous to facsimile message data [paragraph 0003] as well as any header, footer, letterhead remarks and/or comments section accompanying a facsimile cover sheet all of which are well known in the art*),

processing the data in order to determine a recipient designated (see *Fig. 4, step 404 [paragraphs 0003 and 0030], Fig. 5B, steps 522 – 524 [paragraphs 0003 and 0038] and Fig. 6B, steps 624 – 626 [paragraphs 0003 and 0046]*),

determining a template for a cover page for the facsimile message (see *Fig. 4, step 408 [paragraph 0031], Fig. 5B, step 528 [paragraph 0039] and Fig. 6B, step 630 [paragraph 0046]*),

processing data in order to determine at least one attachment requested for the facsimile message (see *Fig. 4, step 400 [paragraph 0029], Fig. 5B, steps 514 – 516*

[paragraphs 0036 – 0037], Fig. 6A, the facsimile control program 318 is initiated from user application 316 in step 600 [paragraphs 0042 – 0043] and Fig. 6B, steps 616 – 618 [paragraph 0045)],

receiving the at least one attachment from a server (see Fig. 1, computing device(s) 104 connected via network 106 to transmission device(s) 102 [paragraphs 0016 – 0018, 0021]) that is remote from the device (see Fig. 4, step 400 [paragraph 0029], Fig. 5B, step 518 [paragraph 0037], Fig. 6A, step 602 [paragraphs 0042 – 0043] and Fig. 6B, step 620 [paragraph 0045]),

composing the facsimile message using the facsimile message data and the at least one attachment (see Fig. 4, step 410 [paragraph 0032], Fig. 5B, steps 530 – 534 [paragraph 0040] and Fig. 6B, steps 632 – 636 [paragraph 0046]), and

sending the facsimile message to the recipient (see Fig. 4, step 412, Fig. 5B, step 536 and Fig. 6B, step 638) but does not explicitly disclose the processor to further perform capturing strokes made by a user writing with a digital pen on a media having a pattern, the strokes including indications of data including message data and command data, processing the strokes in order to determine a recipient designated by the strokes, capturing user authentication information related to the user, and wherein the command data includes an indication of a send facsimile command, processing the strokes in order to determine at least one attachment requested for the facsimile message.

Gannage discloses the processor operative with the logic program to perform:

capturing strokes made by a user writing with a digital pen (see Fig. 1, pen 16 [column 5, lines 3 – 60]) on a media (see Fig. 1, notepad 14 [e.g. Post-it Notes] in

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conjunction with electromagnetic digitizer tablet [not shown]) having a pattern (see Figs. 4 – 6, notepads 321 – 324, 421 – 424, 521 – 528 are arranged in a distinct rectangular pattern side-by-side on tablet), the strokes including indications of data including message data (see Fig. 3B, steps 234, 236 [column 6, lines 36 – 37 and column 9, lines 21 – 24]) and command data (see Fig. 3B, steps 240 – 246 [column 6, lines 37 – 42, column 8, lines 22 – 30 and column 9, lines 27 – 42]),

processing the strokes in order to determine a recipient designated by the strokes, wherein the command data includes an indication of a send facsimile command (see Fig. 1, note capture device 10 comprising pen 16 can send digital images and notes via fax using various applications [column 7, lines 17 – 24 and 50 – 53] wherein designating a recipient to send fax data and inputting a command to send the fax data is inherently taught by Gannage),

processing the strokes in order to determine at least one attachment requested for the facsimile message (see Fig. 3A, step 204 [column 6, line 45 – column 7, line 24]).

receiving the at least one attachment from a server that is remote from the digital pen (see Fig. 1, note capture device 10 comprising pen 16 has access to networked computing devices for information storage, retrieval, modification and communication [column 4, lines 25 – 43] and Fig. 3, steps 204, 206, 222, 224 wherein a note is associated with an old/new document [column 9, lines 1 – 20]),

sending the facsimile message to the recipient (column 7, lines 17 – 24 and 50 – 53) but does not explicitly disclose the processor to further perform capturing user authentication information related to the user.

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Black discloses the processor operative with the logic program to perform:

capturing user authentication information related to the user (see *Figs. 2A – 2B, unique grip 30 [column 7, line 37 – column 8, line 56, column 10, lines 29 – 65 and column 19, lines 47 – 63] wherein biometric information unique to the user, i.e. physical features, finger prints, voice recognition, DNA, point pressure, speed of signing, etc., is used to authenticate the user and stylus 15 includes biometric information measuring instruments such as pressures sensors to detect stroke pressure, i.e. point pressure, gyroscopes to measure the angle of the pen, i.e. pen attitude, and an accelerometer to measure stroke speed).*

Bohan and Gannage are combinable because they are both from the same field of endeavor, being electronic document creation, storage, retrieval and transmission systems. At the time of the invention, it would have been obvious to one of ordinary skill in the art to include a digital pen to handwrite fax messages, to input commands into a computing device and to attach additional documents to handwritten fax messages along with such an electronic document management system. The suggestion/motivation for doing so would have been to quickly, comfortably and efficiently capture information using a common and natural method of handwriting and to take advantage of the latest computer technology which can electronically store, organized and send documents, as suggested by Gannage (*column 1, lines 45 – 57, column 2, lines 12 – 29, column 2, lines 12 – 29, 54 – 67, column 4, lines 16 – 25, column 8, lines 23 – 42 and column 11, lines 25 – 40*).

Gannage and Black are combinable because they are both from the same field of endeavor, being pen-enabled computer devices within digital communication networks. At the time of the invention, it would have been obvious to one of ordinary skill in the art to include a digital pen to capture data unique to the user for authenticity verification along with pen-enabled computer devices. The suggestion/motivation for doing so would have been to protect the privacy and integrity of user accounts and to use the physical biometric attributes unique to a user in order to overcome the disadvantages of other security methods, such as lost, stolen or fraudulent cards, PIN numbers, signatures, etc., as suggested by Black (*column 1, lines 42 – 57, column 2, lines 9 – 40, 52 – 55, column 3, lines 21 – 40 and column 4, lines 4 – 43*).

Referring to **claim 12**, Black discloses the system further wherein the user authentication information includes biometric data (*column 7, line 37 – column 8, line 56 wherein stylus 15 wherein stylus 15 includes biometric information measuring instruments such as pressures sensors to detect stroke pressure, i.e. point pressure, gyroscopes to measure the angle of the pen, i.e. pen attitude, and an accelerometer to measure stroke speed*).

Referring to **claim 13**, Black discloses the system further wherein the biometric data includes pen stroke data including stroke pressure, stroke speed and pen attitude (*column 7, line 37 – column 8, line 56 and column 19, lines 47 – 63 wherein stylus 15 includes biometric information measuring instruments such as pressures sensors to detect stroke pressure, i.e. point pressure, gyroscopes to measure the angle of the pen, i.e. pen attitude, and an accelerometer to measure stroke speed*).

Referring to **claims 1 – 3 and 6**, the rationale provided in the rejection of claim 11 is incorporated herein. In addition, the system of claim 11 performs the methods of claims 1 – 3.

Referring to **claims 4 and 5**, the rationale provided in the rejection of claims 12 and 13, respectively, are incorporated herein. In addition, the systems of claim 12 and 13 perform the methods of claims 4 and 5, respectively.

Referring to **claim 7**, Gannage discloses the method further wherein the send facsimile command is indicated by the user writing a stroke in a segregated field of the media (*see Fig. 1, note capture device 10 comprising pen 16 can send digital images and notes via fax using various applications [column 7, lines 17 – 24 and 50 – 53] and wherein pen 16 taps specific locations on the tablet to navigate such applications [column 6, lines 37 – 42, column 8, lines 22 – 30 and column 9, lines 27 – 42] such that Gannage suggests that there is a segregated field on notepad 14 using pen 16 to send fax data*).

11. **Claim 8** is rejected under 35 U.S.C. 103(a) as being unpatentable over **Bohan** (U.S. Pre-Grant Application No. 2003/0214681) in view of **Gannage et al.** (U.S. Patent No. 6,507,956) in view of **Black** (U.S. Patent No. 6,307,956) and further in view of **Brooks et al.** (U.S. Pre-Grant Publication No. 2002/0107885).

Referring to **claim 8**, Bohan, Gannage and Black disclose the method as discussed above in the rejection of claim 2 but does not explicitly disclose the method further wherein the template determination utilizes the pattern.

Brooks discloses the method wherein the template determination utilizes the pattern (*see Fig. 4, form-identification area 165 wherein pen-enabled computer device 10 comprising writing stylus 40 designates form 160 from a form-identification area 165 [paragraphs 0040, 0041 and 0044]*).

Gannage, Black and Brooks are combinable because they are both from the same field of endeavor, being pen-enabled computer devices within digital communication networks. At the time of the invention, it would have been obvious to one of ordinary skill in the art to include a digital pen and pad to fill out fields, to designate options and to otherwise interact with a pattern on a particular medium, such as a pre-printed form, along with pen-enabled computer devices. The suggestion/motivation for doing so would have been to better coincide user-entered digital data along with handwritten user data shown on the pre-printed form which also facilitates the user's awareness of any inconsistent selections between data written on the pre-printed form and data electronically written, as suggested by Brooks (*paragraphs 0003, 0007 – 0008 and paragraph 0047*).

12. **Claims 9, 10, 14, 15 and 17 – 19** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Bohan** (U.S. Pre-Grant Application No. 2003/0214681) in view of **Gannage et al.** (U.S. Patent No. 6,507,956) in view of **Black** (U.S. Patent No. 6,307,956) and further in view of **Seder et al.** (U.S. Patent No. 6,917,724).

Referring to **claim 14**, Gannage discloses the system further wherein the pen stroke data includes identifying the at least one attachment (*see Fig. 3A, step 204*

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[column 6, line 45 – column 7, line 24); however, neither Bohan, Gannage nor Black explicitly disclose the system further wherein the data includes an attachment identifier identifying the at least one attachment, further comprising the processor operative with the logic program to perform identifying the at least one attachment using the biometric data, authenticating the user using the user authentication information, and verifying user permission to access the at least one attachment file and stopping the facsimile message composition process if the user does not have permission to access the at least one attachment file.

Seder discloses the system wherein the data includes an attachment identifier identifying the at least one attachment (see Fig. 1, watermark data payload that is to be used to identify the printed page is either generated internally by the printer driver 14 or received via external input 16 [column 2, lines 17 – 24, 44 – 51 and column 3, lines 11 – 26]), further comprising the processor operative with the logic program (see Fig. 1, user computer 20 comprising application program 12 and printer driver 14) to perform:

identifying the at least one attachment using the biometric data (column 4, lines 5 – 13 and column 5, lines 39 – 45),

authenticating the user using the user authentication information (column 4, lines 5 – 13), and

verifying user permission to access the at least one attachment file and stopping the facsimile message composition process if the user does not have permission to access the at least one attachment file (column 4, lines 5 – 13).

Black, Gannage and Seder are combinable because they are both from the same field of endeavor, being identify verification systems. At the time of the invention, it would have been obvious to one of ordinary skill in the art to include authenticating user access to restricted electronic documents using biometric data. The suggestion/motivation for doing so would have been to protect confidential documentation while uniquely identifying each document, as suggested by Seder (*column 2, lines 17 – 24 and column 4, lines 5 – 13*).

Referring to **claim 15**, Bohan discloses the system further comprising the processor operative with the logic program to perform:

determining determined message data using the attachment (*see Fig. 3, computing device 104 comprising memory 302 with fax control program 318, Fig. 4, steps 406 [paragraphs 0025 and 0031 wherein facsimile control program 318 determines the number of attached pages to enter on a cover page, i.e. message data, based the total number pages attached in the transmission, i.e. attachments]*), and

modifying the facsimile message using the determined message data (*see Fig. 3, computing device 104 comprising memory 302 with fax control program 318, Fig. 4, step 408 [paragraphs 0025 and 0031 wherein facsimile control program 318 modifies and generates a cover page, i.e. facsimile message, based upon the total number of pages attached in the transmission, i.e. determined message data]*).

Referring to **claims 9 and 10**, the rationale provided in the rejection of claims 14 and 15, respectively, are incorporated herein. In addition, the systems of claim 14 and 15 perform the methods of claims 9 and 10, respectively.

Referring to **claims 17 and 19**, Seder discloses the system and method further wherein,

the attachment identifier ambiguously identifies the at least one attachment, further comprising the processor operative with the logic program to perform:

unambiguously identifying the at least one attachment using the attachment identifier and the user data (*column 5, lines 39 – 52 wherein the intended recipient(s) are analogous to the attachment identifier which is used along with the user's identify (i.e. user data) to correctly associate and identify documents*).

Referring to **claim 18**, Bohan discloses the method further wherein,

the determined message comprises the total number of pages of the composed facsimile message (*see Fig. 4, step 406 [paragraph 0031], Fig. 5B, step 526 [paragraph 0039] and Fig. 6B, step 628 [paragraph 0046]*), and

modifying the facsimile message includes updating a number of pages field on the facsimile cover page with the total number of pages (*see Fig. 4, step 408], Fig. 5B, step 528 and Fig. 6B, step 630*).

13. **Claims 16 and 20** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Gannage et al.** (U.S. Patent No. 6,507,956) in view of **Seder et al.** (U.S. Patent No. 6,917,724).

Referring to **claim 16**, Gannage et al. disclose a system for sending a facsimile of a message (*column 7, lines 17 – 24 and 50 – 53*) comprising:

a receiver (see Fig. 1, note capture device 10) to receive pen stroke data from a digital pen (see Fig. 1, pen 16 [column 5, lines 23 – 60]) including attachment data indicating at least one attachment (column 6, line 45 – column 7, line 24),

a processor to process pen stroke data (column 4, lines 37 – 43), and

a file server connected to the processor (column 4, lines 37 – 43), wherein the processor uses pen stroke data to locate the at least one attachment (see Fig. 3A, steps 202 – 206 [Abstract, column 4, lines 25 – 43, column 9, lines 1 – 8]), and

the processor further configured to send the facsimile message (column 7, lines 17 – 24 and 50 – 53) but does not explicitly disclose the processor verifies permission to access the at least one attachments, the processor further configured to compose the facsimile message using the at least one attachment if permission to access the at least one attachment is verified.

Seder discloses the system wherein the processor (see Fig. 1, user computer 20) verifies permission to access the at least one attachments (column 4, lines 5 – 13), the processor further configured to compose the facsimile message using the at least one attachment if permission to access the at least one attachment is verified (column 2, lines 17 – 24 and column 4, lines 5 – 13 wherein the user demonstrates suitable authority).

Gannage and Seder are combinable because they are both from the same field of endeavor, being identity verification systems. At the time of the invention, it would have been obvious to one of ordinary skill in the art to include authenticating user access to restricted electronic documents using biometric data. The

suggestion/motivation for doing so would have been to protect confidential documentation while uniquely identifying each document, as suggested by Seder (*column 2, lines 17 – 24 and column 4, lines 5 – 13*).

Referring to **claim 20**, Seder discloses the system further wherein, the processor identifies a user and then uses the user identification to verify permission to access the at least one attachment (*column 4, lines 5 – 13*)

Conclusion

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sanchez et al. (U.S. Patent No. 6,118,546) disclose a printer/facsimile driver with page count generation to include the total number sheets transmitted.

Crumly (U.S. Pre-Grant Publication No. 2003/0145212) discloses a secure system for delivery of a fax to a remote user wherein upon validation of identification of a user, any or all documents may be retrieved by a user.

Mori et al. (U.S. Patent No. 7,113,293) discloses an information processing system which enables template cover sheets and original data to be previewed and attached thereto.

Harrison et al. (U.S. Pre-Grant Publication NO. 2002/0054334) disclose document transmission techniques to add security to the transmission of the document involving biometrics.

Murata *et al.* (U.S. Patent No. 6,903,833) disclose an image data distribution system (i.e. PC, printer, copier, facsimile machine, digital multifunction peripheral) wherein the distribution managing element provided on the image server side sends back all destination group names to the digital multifunction apparatus for registration if so requested.

Quach (U.S. Pre-Grant Publication No. 2003/0169458) discloses a method for generating a fax cover sheet wherein the fax cover sheet (i.e. second fax job) is combined along with corresponding fax document (i.e. first fax job) into a single fax job which is sent to a recipient and includes template fax cover sheets (*see Fig. 4B*).

Parry *et al.* (U.S. Pre-Grant Publication No. 2005/0231746) discloses rendering with substituted validation input wherein user authentication data (e.g. biometric data) is verified in order to gain access to electronic files (*see Fig. 1, steps 808, 810, 814*).

Burke *et al.* (U.S. Pre-Grant Publication 2006/0176505) discloses a printer voice portal including a network connection arranged to transfer user voice command input and printer portal output wherein the user voice command input (e.g. biometric data) is received at a printer portal, the printer portal analyzes the command input, and information is printed at the printer portal if the command input includes a print request, document identifier to print after the print portal verifies information.

15. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Myles D. Robinson whose telephone number is (571) 272-5944. The examiner can normally be reached on M-F 8:30am-5:00pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler M. Lamb can be reached on (571) 272-7406. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


MDR

10/24/06


TWYLER LAMB
SUPERVISORY PATENT EXAMINER